

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

PATRICK LEMUEL BASS,)
)
Plaintiff,)
)
v.)
)
SHERIFF JAY JONES, et al.,)
)
Defendants.)

DEFENDANTS' MOTION FOR EXTENSION OF TIME

COME NOW Jay Jones, Sheriff of Lee County, Alabama, and Sergeant Donnie Surrett¹, Defendants in the above-styled cause, and move this Honorable Court for an extension of time of 21 days in which to file their Special Report and Answer which is presently due on October 5, 2005. As grounds for said motion, Defendants state as follows:

1. On August 24, 2005, this Court entered an Order directing the Defendants to file a Special Report and Answer in the above-styled cause on or before October 5, 2005.
2. The gathering of information with which to formulate the Special Report has taken longer than expected. Counsel for Defendants has yet to meet with all the Defendants for the purpose of ascertaining the facts of the case and obtaining the documents located at the Lee County Sheriff's Department relevant to Plaintiff's allegations. In addition, it may be necessary to obtain additional documents relating to the Plaintiff's incarceration made the basis of his Complaint.

¹ The Defendant designated by Plaintiff as "Lee County Sheriff Department Task Force Officers" is not listed herein as a Defendant due to Plaintiff's failure to comply with this Court's Order directing him to list specifically who he is intending as a Defendant at the Lee County Sheriff's Department Task Force. If the Plaintiff does submit to this Court the name of the Defendant(s) that he is intending to list as a Defendant by reference to the "Lee County Sheriff's Department Task Force Officers" then undersigned counsel will make an appearance for said Defendants once they have been properly identified by the Plaintiff.

3. Defendants are in need of this additional time to fully respond to the Plaintiff's allegations.

4. Defendants have not previously requested an extension of time in this case.

5. Plaintiff will not be prejudiced by the requested extension.

WHEREFORE, PREMISES CONSIDERED Defendants respectfully request this Honorable Court grant their Motion for Extension of Time to file their Special Report and Answer up to and including October 26, 2005.

Respectfully submitted this 30th day of September, 2005.

s/Kelly Gallops Davidson
KELLY GALLOPS DAVIDSON Bar No. DAV123

Attorney for Defendants

WEBB & ELEY, P.C.
7475 Halcyon Pointe Drive
Post Office Box 240909
Montgomery, Alabama 36124
Telephone: (334) 262-1850
Fax: (334) 262-1889
E-mail: kdavidson@webbeley.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 30th day of September, 2005, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

Patrick Lemuel Bass
P.O. Box 2407
Opelika, AL 36801

s/Kelly Gallops Davidson
OF COUNSEL